

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residence, post office address and citizenship is stated below each of our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled "**Using Excess Levels of Metal Oxides to Improve Properties When Incorporating Polymers in Asphalt,**" the specification of which is filed concurrently.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56 (a).

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

### PRIOR FOREIGN APPLICATION(S)

NUMBER	COUNTRY	(DAY/MONTH/YEAR FILED)	PRIORITY CLAIMED	YES	NO
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We hereby claim the benefit under Title 35, U.S.C., Sec. 120 of any United States application or under Title 35, U.S.C., Section 119(e) of any provisional application listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in any prior United States application in the manner provided by the first paragraph of Title 35, U.S.C., Sec. 112. We acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

SERIAL NO.	FILING DATE	STATUS
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We hereby appoint, David J. Alexander (Reg. No. 33,221), Paul S. Madan (Reg. No. 33,011), Kaushik P. Sriram (Reg. No. 43,150), David L. Mossman (Reg. No. 29,570), G. Michael Roebuck (Reg. No. 35,662), Todd A. Bynum (Reg. No. 39,488), Gene L. Tyler (Reg. No. 35,395), William E. Schmidt (Reg. No. 47,064), Chandran D. Kumar (Reg. No. 48,679), David A. Walker (Reg. No. 52,334), and Shawn Hunter (Reg. No. 36,168), as our attorneys with full power of substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Please address all correspondence regarding this application to:

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Direct all telephone calls to David L. Mossman at (512) 219-4026.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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**William Lee**